AMERICAN FORK CITY COUNCIL MARCH 23, 2021 PUBLIC HEARING, REGULAR SESSION MINUTES

Members Present:

Bradley J. Frost Mayor

Kevin Barnes Council Member Staci Carroll Council Member Rob Shelton Council Member Clark Taylor Council Member

Members Absent:

Barbara Christiansen Council Member

Staff Present:

David Bunker City Administrator Wendelin Knobloch Associate Planner City Engineer Rebecca Andrus City Recorder Terilyn Lurker Anna Montoya Finance Officer **Aaron Brems** Fire Chief George Schade IT Director Cherylyn Egner Legal Counsel Adam Olsen Senior Planner

Derric Rykert Parks and Recreation Director

Scott Sensanbaugher Public Works Director

Also present: John Woffinden, Dennis and Maeta Beck, Keaton Morton, Steve Strate, Andy Flamm, Brian Johnson, Laurel Shelly, and Colton Bain

Mayor Frost welcomed everyone to the meeting and explained the determination of holding an electronic meeting without an anchor location.

The American Fork City Council held a public hearing in conjunction with the regular session on Tuesday, March 23, 2021, electronically, commencing at 7:00 p.m.

PUBLIC HEARING

A. Receive public comment on the ABF Property Annexation, consisting of 9.47 acres at approximately 300 West and 1000 South.

No public comment.

B. Receive public comment on the GWZT Property Annexation, consisting of 6.49 acres at approximately 700 South and 100 West.

No public comment.

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REGULAR SESSION

1. Pledge of Allegiance; Invocation by Council Member Carroll; roll call.

The Pledge of Allegiance was recited, and an invocation was offered by Council Member Carroll. Roll call was taken.

2. Twenty-minute public comment period - limited to two minutes per person.

Laurel Shelley spoke on the topic of the quality of life in American Fork. She said that she knew that many people had grown up in American Fork knew about the quality of life or had moved here for American Fork's quality of life. She asked that it be kept. She felt that there was too much growth and multi-family housing going on right now. She said that there was not really the infrastructure to support this growth. Congestion was getting terrible. She said that there were times of day that she couldn't even go out. More importantly, she said, she was concerned about the 'rat effect.' She explained that when you get too many rats in a cage they start to attack, fight and kill each other. She said that was true and seen in large cities and other places. She said that she was concerned about the increased dangers that will ultimately come with it. The feeling of safety and security would be lost. She said that the city was building a lot of huge apartment complexes. She said that it was her experience in looking at other places, including some areas in town, that these buildings would become what she called, 'insta-slums.' The buildings would become run down and bring more crime and more problems. She said that she understood that the owners have the right to build. She suggested that the Council stop changing the zoning to keep the quality of life. She said that she did not know about the Council, but that she wanted to live in American Fork 10 or 15 years down the road. She said that they needed to figure out what needed to be done to maintain the quality of life in American Fork.

Colton Bain said that he was the owner and founder of Niche Displays. He spoke on the topic of the electronic message center ordinance. He said that he had done some research and sent a writ of request to Terilyn Lurker in the City Recorder's Office. He said that it didn't appear that there were consistencies in the law for enforcing ordinances. He said that based on the records requested that he had received, it appeared that the zoning department had allowed larger banking institutions to change their digital messaging signs outside of their businesses, in particular, increasing their size. He said that the gentleman that he spoke to a year and a half ago in the zoning department was unaware of one of the permits that was pulled as UCCU. American First Credit Union had gone from a sign that was approximately 3' x 6' to a 4' x 8' digital sign. He said that even if the sign was grandfathered in, they were expanding what would have been allowed. He said that none of the permits that he pulled from his records request mentioned those spacial changes. He said that there were plenty of studies, one from the University of Cincinnati and from the Small Business Administration, that have shown that these communication centers were the best form of advertising for small business. He said that they have a high conversion ratio, increase revenue and drive commerce. Despite this, smaller businesses were not allowed the same opportunities in regards to their signs as larger chains. He said that there were multiple businesses, including the Nursery Family Farms who built an incredible center and have employed a lot of people in American Fork who had their sign rejected. Mr. Bain said that he wanted this matter to be looked at again because commerce was being lost for small businesses.

Mayor Frost asked that Mr. Bain leave his contact information with staff.

3. City Administrator's Report

David Bunker, City Administrator, said that they had started the soccer season. He said that you wouldn't know it based on the snow flurries that were flying the other day, but there were games going full force out at Art Dye Park. They had record numbers of people sign up to participate in soccer. In addition, the fitness center passes had become available for purchase for the coming year. Because of COVID, the fitness center

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had to be shut down for a short period last year. Because of this, everyone's passes were extended into the first quarter of this year so they got their full use. He encouraged the community to take advantage of the passes. He said that he knew that he needed to take advantage of going to the fitness center more often than he did.

Another issue Mr. Bunker had to visit with the Council about was that the Timpanogos Special Service District (TSSD) had stopped composting green waste. It was a decision that was made by the district in conjunction with other parties. However, there was some compost available now. It was available for sale Wednesday (3/23) through Saturday (3/27). He said that did not mean that they would have enough material to last until Saturday, just they planned on selling through Saturday if there was enough material. He said that the compost might go very quickly as there were a lot of people who wanted that compost.

Mr. Bunker provided an update on the construction at Art Dye Park. He said that they were constructing a traffic circle. The project was about 20 percent complete. The heavy lifting like moving some utilities and some fiber had been done. Because of the project there was some bottle necking and congestion at the park entrance. The two parking areas that were installed a couple of years ago what the park was expanded were available for parking. He asked for patience as the construction of the traffic circle was finalized.

4. <u>Council Reports</u>

Council Member Barnes had nothing to report.

Council Member Shelton reported on the North Point Special Service District (NPSSD). He said they had a board meeting with a lot of discussion surrounding long-term planning. He said that he anticipated that a plan would come to the Council in the next six months. He said that the Council might want to consider making a commitment to the district that was longer than two years. With the rapid growth that was occurring, there would be needs for expanding the facility. That would require a longer term commitment to the district. He said that there were also rumors of entities who had left the district in the past and wanted to re-join. He said that he thought that it was a great service to residents to be able to dump their garbage at a reduced rate. He said that was money loser for the district. They made their money from the city's curbside pickup. The service helped keep vacant lands and sides of street free from debris and garbage. He said that he thought they would be doing another Trash-and-Hash. He said they were still working out how to best execute that virtually versus in-person.

In regard to dispatch, Council Member Shelton thought that the increase in fees would be about \$34,000 that would come from the growth in population and call volume. He said that the NPSSD was finalizing their budget.

Council Member Carroll said that the Chamber of Commerce had started a Women in Business group who meet quarterly. She said that today they had a speaker, Nicki Walker from DOMO, who specializes in diversity inclusion and was part of the Black Chamber of Commerce. She said that it was a good connection.

Council Member Taylor said the PARC Committee had been meeting and had been reviewing applications for organizations who were vying for the PARC Tax money. He said that there were many exciting things going on. The committee would meet tomorrow night with additional applicants. He said that they were doing a tremendous job despite sitting through a lot of long presentations. He said that they deserve accolades for the great work that they do. He said that were exciting things happening with the arts, culture, and parks in American Fork. He also noted that Fox Hallow Golf Course was open and in full swing. He said that this weekend the driving range would begin to be open at night. He said that the course was quite popular. Despite different opportunities to reserve tee times, he said that it was amazing how full the course was getting.

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5. <u>Mayor's Report</u>

Mayor Frost reported about the Utah Lake Commission which he chairs. The committee comprised of the cities that touch the lake's shores as well as someone from the House of Representatives and the Senate, serve as stewards to the lake and the trails and properties that surround it. He said that there was a \$9.8 million appropriate that was given to the commission for the lake. He expected that some of that money would be allocated towards American Fork's harbor. He said that there were two items that the commission would bring forward to each city's Council that had a harbor. Those items would be a camera that would be in a place so that people could go to the Utah Lake Commission website and view the harbor's activity. The cameras would network with all the other harbors so that someone traveling could figure out where they wanted to launch based on crowds.

The second item would be a life jacket drive. He said that there was a tragic incident the previous year where two young women lost their lives. He said that there would be deposits where people could put their life jackets.

COMMON CONSENT AGENDA

(*Common Consent* is that class of Council action that requires no further discussion or which is routine in nature. All items on the Common Consent Agenda are adopted by a single motion unless removed from the Common Consent Agenda.)

- 1. Approval of the February 23, 2021 city council minutes.
- 2. Approval of the March 2, 2021 work session minutes.
- 3. Approval of the March 9, 2021 city council minutes.
- 4. Ratification of city payments (March 3, 2021 to March 16, 2021) and approval of purchase requests over \$25,000.

Council Member Taylor moved to approve the common consent agenda. Council Member Carroll seconded the motion. Voting was as follows:

RESULT: APPROVED [UNANIMOUS]
MOVER: Clark Taylor, Council Member
SECONDER: Staci Carroll, Council Member

AYES: Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

ABSENT: Barbara Christiansen

ACTION ITEMS

1. Review and action on the following appointments to the Library Board: Sandra Barney and Heidi Rodeback

Council Member Shelton moved to approve the appointments of Sandra Barney and Heidi Rodeback to the Library Board. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:APPROVED [UNANIMOUS]MOVER:Rob Shelton, Council MemberSECONDER:Clark Taylor, Council Member

AYES: Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

ABSENT: Barbara Christiansen

2. Review and action on an ordinance approving a zone map amendment located at 760 North 200 East, from the RA-1 Residential Agricultural to the R1-9,000 Residential zone.

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The applicants were present.

Adam Olsen, Senior Planner, said that the item had been before the Planning Commission on March 3, 2021. He explained that the request was to change the zoning from RA-1 to R1-9000. The R1-9000 zone was present to the west and northeast of the property. The property was located west of 200 East and east of 100 East. The applicant wanted to develop the property under a PUD scenario. The Planning Commission recommended approval of the zone change. There was a letter that was read at the Planning Commission meeting from a neighboring property owner that was opposed to the change and believed the zone designation should stay as is. The R1-9000 did comply with the underlying land use designation of low density residential. There was a small portion of right-of-way that was needed to be dedicated with the zone change. The applicants were aware of the trail corridor through the property that would be finalized with its location cemented when the subdivision was competed. The zone change was the first step in that process.

Keaton Morton, applicant, thanked the Council and staff. He said that staff had been excellent to work with. He said that they were excited and happy to bring a development that they thought the city would like. He said that he understood that the city needed a small portion of the property for a road dedication.

Council Member Shelton asked if the agreement allowed for the right-of-way for sidewalk and a 10' trail. Mr. Olsen stated the trail's location would be ironed out with the subdivision plans. He said that it was indicated in the agreement to put the developer on notice that the trail was in the master plan. The corridor would be finalized when they finished their subdivision layout.

Council Member Shelton asked if the trail would then not be next to 200 East. He wondered if it was anticipated that the trail would go through the middle of the subdivision somewhere. Mr. Olsen said that it could be through the middle or towards the rear. He said that there was a small gap between the property under discussion and where the trail ends at 600 North.

Council Member Shelton said that he would like for the city to take a look at the trail. He stated that when the Council approved it, he had concerns about if the trail would be utilized. He said now that 700 North would be continued further, there would either be a trail that needed to bend and curve around, or there would be a crossing near a hill or on a slope. He thought that the trail would be so much better located on 200 East. He said this would help with the width of the shoulder, kids walking to school, and the two disabled residents who lived on 200 East. Mr. Olsen said that staff would look at that and that 200 East very well could be the correct location for the trail.

Council Member Shelton said that it was important to know where the trail would be located when the city was planning construction to 700 North. He was concerned about putting a crossing on a hill that reduced a driver's line of sight. He felt it would be better to have the pedestrian crossing at a light.

Council Member Taylor moved to adopt Ordinance No. 2021-03-14 approving a zone map amendment located at 760 North 200 East, from the RA-1 Residential Agricultural to the R1-9,000 Residential zone subject to (1) the dedication of 5' right-of-way for 200 East and (2) the dedication of trail right-of-way with a minimum width of 10' at time of subdivision approval. Council Member Barnes seconded the motion. Voting was as follows:

RESULT:ADOPTED [UNANIMOUS]MOVER:Clark Taylor, Council MemberSECONDER:Kevin Barnes, Council Member

AYES: Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

ABSENT: Barbara Christiansen

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3. Review and action on an ordinance approving a zone map amendment for property located at 349 South 100 West, from the GC-2 Planned Commercial zone to the PI-1 Planned Industrial zone.

Mr. Olsen said that this closed the gap of a lone GC-2 zone. The applicant wanted to have a PI zone. This would create a solid PI-1 zone on the south side of the freeway. He said that it would open the door a little bit for different options for building. The Planning Commission looked at it and recommended approval. It was considered a housekeeping item to get rid of the island of GC-2 zone.

Council Member Barnes moved to approve Ordinance No. 2021-03-15 approving a zone map amendment for property located at 349 South 100 West, from the GC-2 Planned Commercial zone to the PI-1 Planned Industrial zone subject to conditions in the engineering report. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:ADOPTED [UNANIMOUS]MOVER:Kevin Barnes, Council MemberSECONDER:Clark Taylor, Council Member

AYES: Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

ABSENT: Barbara Christiansen

4. Review and action on the Water Banking Agreement for Water Rights with Troy Monty for 1.00 acre-feet of water.

Council Member Taylor moved to approve the water banking agreement with Troy Monty for oneacre feet of water. Council Member Carroll seconded the motion. Voting was as follows:

RESULT: APPROVED [UNANIMOUS]
MOVER: Clark Taylor, Council Member
SECONDER: Staci Carroll, Council Member

AYES: Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

ABSENT: Barbara Christiansen

5. Review and action on a resolution indicating the city's intent to annex the Searle Annexation #3 consisting of 19.39 acres at approximately 950 North 650 West.

Council Member Barnes moved to approve Resolution No. 2021-03-11R indicating the city's intent to annex the Searle Annexation #3 consisting of 19.39 acres at approximately 950 north and 650 West. Council Member Carroll seconded the motion. Voting was as follows:

RESULT: ADOPTED [UNANIMOUS] **MOVER:** Kevin Barnes, Council Member **SECONDER:** Staci Carroll, Council Member

AYES: Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

ABSENT: Barbara Christiansen

6. Review and action on an updated software license and maintenance agreement with Azteca Systems LLC. for Cityworks Asset Management Software and adding the Permitting Land and Licensing Software.

Council Member Carroll said that she had the same question as the last time they approved a software maintenance agreement regarding the cost escalator associated with the agreement. She wanted to check in to make sure that she was understanding it correctly. She asked if what was outlined in the packet was how much the license was going to cost as the years went by.

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Scott Sensanbaugher, Public Works Director, said that it was a substantial number and investment. He said that in talking with the company, the price was their typical number. He said that a lot of the expense was in the first two years. He said that staff did talk with them about getting a deal to ensure that the city could try the software out and was getting what they needed out of it. He explained that Rebecca Andrus, City Engineer, had been tasked with taking the lead on the project and asked if she had anything more to add.

Rebecca Andrus, City Engineer, said that staff were not implementing the license at the full initial cost. The company had given American Fork a substantial discount over the first few years to allow the city to get the software implemented and to ensure that it met the city's needs and was worth what they were putting into it. This gave staff the chance to test drive the software before committing to the full cost.

Council Member Carroll asked what would be the full, yearly cost. Ms. Andrus indicated it would remain at the year four value. She said that there were certain escalations based on population and crossing 50,000 people. Council Member Carroll said that she knew that they had allocated money for the software for this year, but she didn't have a good enough grasp for what the budget looked like for something drastically different than what was allocated this year. Ms. Andrus said that overall the cost would be very similar next year to this year's cost because next year they would still be in the implementation phase.

Council Member Shelton had some questions about the use of the software. He said that he understood that it was intended to address work flows. He said that the packet talked about permitting and licensing, but that it was not all that specific about how the software helps with those processes.

Ms. Andrus said that the software could help with development reviews, building permits, and business licensing. She said that it was an enterprise license agreement. That meant the software could be used city wide. She said the software came with a portal that allowed staff to have contact lists and would allow contractors and developers to track the progress of the permitting or development plans go through. She said that software would provide a lot of opportunities to make the city's process more transparent and accessible.

Council Member Shelton said that was awesome. He said that the number once complaint that he got from developers and landowners was that they had been waiting on the process forever and it turns out that someone in the workflow had dropped the ball. He said that he thought it would be nice to have that transparency on who was doing what in the permitting process. He noted that in regards to business licensing that there was already some software. He asked if staff saw this new software replacing it?

Ms. Andrus stated it was a possibility but the staff had not pushed towards that. She said that as they assess how the software worked over the first year or two, staff could decide what licensing software got moved into this. She said it was a tool that could be used from developments to code enforcement.

Scott Sensanbaugher stated there are a few software packages the were used by the city that the Cityworks Asset Management Software could replace. These included IworQ, Elements, and even the building permitting software. He said that he thought they would look towards doing that.

Council Member Shelton said that he thought it would be great to see if the software could be bundled for some cost savings, but also to save staff time and energy in training and trying to use various platforms. In regards to code enforcement he said that this was going to be the third software in the nine years he had served on the Council that had been proposed for code enforcement. Every time they switch he said that he always has to pause because they had just gotten the public used to a system. He asked if they had the technology look at the software to see how it would integrate with systems used by the public.

Mr. Bunker said that they had looked at this before. He said that this was discussed at least a year ago. He said that the technology could give an update.

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Council Member Shelton said that he would be interesting in the integrations it could have with other software. He said that ideally they would like all the software to be talking with one another to reduce the staff time and human error. He said that he knew that the city was also looking into a new accounting system. He'd want to make sure the software worked with whatever new system they were transitioning to.

Council Member Carroll moved to approve the software licensing agreement with Azteca Systems, LLC for the Cityworks Asset Management Software in the amount of \$10,000. And authorize staff to execute the agreement. Council Member Shelton seconded the motion. Voting was as follows:

RESULT: APPROVED [UNANIMOUS]
MOVER: Staci Carroll, Council Member
SECONDER: Rob Shelton, Council Member

AYES: Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

ABSENT: Barbara Christiansen

Council Member Shelton said that he would love a demo once the software was up and running so that he could respond to any residents, landowners or developers who might express frustration.

7. Review and action on a contract for Centricity GIS to provide professional consulting services for the configuration and implementation of Cityworks Permitting, Land and Licensing Software.

Ms. Andrus said that this action item was to make it American Fork's program. She said that there was some generic software that was pretty good, but that this would allow the software to be customized to American Fork's needs and workflow. The would first look at workflows in planning, zoning and engineering. She said that it would take a few months to get implemented.

Council Member Shelton asked if they would agree to record that via Zoom so it could be used as a training video in case of staff turnover. Ms. Andrus said that was a great idea. She said that there would be certain power users who would be experts and learn how workflows might change when the system was updated to help train other staff.

Council Member Shelton moved to approve the contract with Centricity GIS for configuration and implementation of the Cityworks Permitting, Land and Licensing Software in the amount of \$27,000 and authorize staff to execute the contract documents. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:APPROVED [UNANIMOUS]MOVER:Rob Shelton, Council MemberSECONDER:Clark Taylor, Council Member

AYES: Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

ABSENT: Barbara Christiansen

8. Review and action on an ordinance amending Section 15.01.1420 of the American Fork City Municipal Code, a relating to fire hydrants.

Mayor Frost said that there had been a lengthy discussion previously and that staff had reviewed more information.

Mr. Sensanbaugher said that staff had tried to make it real clear what sections of the code were revisions, additions and deletions.

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Council Member Shelton said that there was omission in the code about painting curbs red in front of fire hydrants. Mr. Sensanbaugher stated staff would do what the Council wanted, but he recommended no painted curbs. Council Member Shelton said that he knew they had lots of discussion about this, but wanted to reiterate that he thought it was great to paint them.

Council Member Taylor moved to adopt Ordinance No. 2021 -03-16 amending Section 15.01.1420 of the American Fork City Municipal Code relating to fire hydrants. Council Member Carroll seconded the motion.

Council Member Shelton asked about the waterline project on 600 East. He asked if in the places where the fire hydrants didn't confirm to the new standards if they would be switched out and updated as part of the waterline project. Mr. Sensanbaugher said that generally when they were replacing waterlines everything was replaced. However, it was a case-by-case basis. He said that over time they would replace quite a few.

Council Member Barnes said that based on what he saw during the construction on 700 North, he said there were a bunch of old fire hydrants that were not properly installed. Because of this, he agreed that it would be best to replace a lot of the fire hydrants.

Mayor Frost called for a vote on the motion. Voting was as follows:

RESULT: ADOPTED [UNANIMOUS]
MOVER: Clark Taylor, Council Member
SECONDER: Staci Carroll, Council Member

AYES: Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

ABSENT: Barbara Christiansen

9. Review and action on the off-line medical director emergency medical services agreement. Council Member Barnes asked if this type of agreement was new or if they had done one in the past. Fire Chief Brems said that there had been an agreement like this forever. As long as American Fork has an ambulance license, it was mandated by the State Bureau to have an offline medical control doctor. He said that the item was in front of the Council for approval because the license had been upgraded. The language was being updated to reflect the new license.

Cheylyn Egner, Legal Counsel, noted that this was essentially the same contract that was previously approved with a few minor language updates.

Council Member Barnes asked if the license was under the same doctor. Chief Brems said it was the same doctor, Dr. Oldroyd.

Council Member Shelton moved to approve the off-line medical director emergency medical services agreement with Dr. Oldroyd. Council Member Barnes seconded the motion. Voting was as follows:

RESULT: APPROVED [UNANIMOUS]
MOVER: Rob Shelton, Council Member
SECONDER: Kevin Barnes, Council Member

AYES: Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

ABSENT: Barbara Christiansen

10. Review and action on a resolution approving an interlocal agreement with Utah County for the administration of the 2021 Municipal Elections.

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Mayor Frost said the County had done a wonderful job and they have a great and trusted system in place.

Council Member Shelton said that he had conversations with the previous recorder who talked about how wonderful it was to have elections run through a third party and the transparency they provide. He was impressed with the county the last two years and the changes they had made and felt comfortable.

Council Member Shelton moved to adopt Resolution No. 2021-03-12R approving the interlocal agreement with Utah County for administration of the 2021 Municipal Elections. Council Member Carroll seconded the motion. Voting was as follows:

RESULT:ADOPTED [UNANIMOUS]MOVER:Rob Shelton, Council MemberSECONDER:Staci Carroll, Council Member

AYES: Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

ABSENT: Barbara Christiansen

11. <u>Consideration and action to enter into a closed session to discuss items described in Utah State Code 52-4-204 and 52-4-205.</u>

Mayor Frost indicated there would be no closed session.

12. Adjournment.

Council Member Taylor moved to adjourn the meeting. Council Member Shelton seconded the motion. All were in favor. The motion carried.

The meeting adjourned at 8:02 p.m.

Terilyn Lurker, City Recorder

Oulyn Rurker

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